



BOARD OF BARBERING AND COSMETOLOGY
CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS
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Board of Barbering and Cosmetology
2420 Del Paso Road, Suite 100
Sequoia Conference Room
Sacramento, California 95834

MEETING OF THE BOARD OF BARBERING AND COSMETOLOGY

MINUTES OF FEBRUARY 28, 2007

BOARD MEMBERS PRESENT

IN PERSON:

Deedee Carlson

BOARD MEMBERS PRESENT

VIA TELEPHONE:

Jerry Tyler, President

Richard Hedges, Vice President

Marlene Gadinis

Frank Lloyd

Jerri Ann Walters

Ken Williams

STAFF MEMBERS PRESENT

IN PERSON:

Kristy Underwood, Executive Officer

Denise Johnson, Asst. Executive Officer

Gary Duke, Staff Counsel

Stacy Meza, Board Analyst

1. Agenda Item #1, CALL TO ORDER/ROLL CALL

Ms. Underwood called the meeting to order at 9:00 a.m. Mr. Tyler welcomed the two new members to the Board, Deedee Carlson and Ken Williams.

2. Agenda Item #2, ANNUAL COMMITTEE APPOINTMENTS

Ms. Underwood announced the following committees as appointed by President Tyler:

Legislation and Budget:

Jerry Tyler, Chair

Richard Hedges

Jerri Ann Walters (alternate)

Angela Reddock

Marlene Gadinis

Examination and Licensing:

Marlene Gadinis, Chair
Jerry Tyler
Jerri Ann Walters (Alternate)

Richard Hedges
Frank Lloyd

Enforcement and Inspections:

Richard Hedges, Chair
Ken Williams
Jerry Tyler (Alternate)

Deedee Carlson
Frank Lloyd

Education and Outreach:

Jerri Ann Walters, Chair
Angela Reddock
Marlene Gadinis (alternate)

Deedee Carlson
Bonnie LaChappa

Disciplinary Review Committee:

Frank Lloyd, Chair
Richard Hedges
Deedee Carlson (alternate) added by motion

Ken Williams
Marlene Gadinis (alternate)

Mr. Lloyd recommended an additional alternate from northern California on the Disciplinary Review Committee. Ms. Underwood noted the new fines will be in effect very soon and an increase in appeals is anticipated. Gary Duke noted some boards have northern and southern disciplinary review committees, and that would also be an option to this Board. Mr. Tyler asked Ms. Carlson (as a resident of northern California) if she would be an alternate on the Disciplinary Review Committee; she agreed. The members of the committee agreed this was a good alternative. Mr. Lloyd suggested Mr. Williams and Ms. Carlson do a ride-along so they can get a flavor of what's going on with the inspectors in the field.

Ms. Underwood noted the supervising inspector in the southern California area has resigned his position. She asked that ride-alongs in this area be delayed until that position is filled.

Mr. Hedges made the motion to approve the committee members as presented, with the addition of Ms. Carlson as the alternate on the DRC. Mr. Lloyd seconded the motion and it was approved by a 7-0 roll call vote.

3. Agenda Item #3, RECOMMENDATION TO AMEND ADMINISTRATIVE FINE SCHEDULE SECTION 974(g): Establish an administrative fine for sections 980.2 and 980.3

Ms. Underwood reported the new administrative fine schedule will be implemented on March 5, 2007. Sections 980.2 and 980.3 of the new footspa regulations are new and fines need to be established. Staff is recommending the fine be set at \$500, which is the same as 980.1. Ms. Underwood noted this fine is for every offense, as the tiered offenses are no longer valid. It was clarified this fine is per footspa/chair, not per salon. Mr. Hedges made the motion to establish the fee of \$500 for violation of sections 980.2 and 980.3. Mr. Tyler seconded the motion and it was approved by a 7-0 roll call vote.

The fine for section 982 is at \$100 but should be at \$500. This could not be done at today's meeting because it was not properly noticed. The Board agreed and will be agendized for the April meeting. Section 982 relates to the sterilization of electrolysis instruments.

4. Agenda Item #4, APPROVAL OF MODIFIED REGULATORY LANGUAGE: Schedule of fees section 998

Ms. Underwood explained that this regulation package increases the Board fees to \$75 for application and examination and \$50 for initial license fee, among other fees. Because of the sunset review and trend in the legislature to ensure the examinations are cost effective, the application and examination fee are separated from an initial license fee. Additional public notice will be required due to the substantial change to the regulation. Mr. Duke asked that the Board consider the addition of allowing staff to modify the regulation in terms of the format so it is acceptable to the Office of Administrative Law.

Mr. Hedges made the motion to implement the new schedule of fees under Article 13, Revenue Section 998 and allow staff to format it in a proper way. Ms. Carlson seconded the motion and it was approved by a 7-0 roll call vote.

5. Agenda Item #5, PUBLIC COMMENT

Stacy Hewitt spoke regarding the footspa regulations. She created a log sheet for the cleaning of footspas, and hoped the Board could read it and make sure it complies with the rules and regulations. She noted the form will assist manicurists, and asked if the Board created a form. Ms. Underwood noted the regulations do not specify how the log should look. Staff will provide Ms. Hewitt samples via email of what the Board has. Samples will also be included online in the near future. Ms. Hewitt requested to put the form in stores, etc. Mr. Duke did not believe staff should review the specific form, but should provide her with samples.

Tona Phillips asked if the Board had considered a system to let the client know before hand if a salon had been cited. Mr. Hedges stated the footspa taskforce recommended postings be made, but was not approved due to legal reasons. Mr. Lloyd recommending requiring a citation is posted for 15 days. However, Ms. Underwood stated this had been requested in the past, and not approved.

Stacy Hewitt noted there are many shops not following the regulations. Ms. Hewitt noted the increase in fines may help get more people into compliance.

6. Agenda Item #6, ADJOURNMENT

There being no further business, the meeting was adjourned.